



Environmental Planning Commission

***Agenda Number: 05
Project Number: 1000365
Case #'s: 06EPC 01110
September 21, 2006***

Staff Report

<i>Agent</i>	Masterworks Architects
<i>Applicant</i>	Tuan Van Huynh
<i>Request(s)</i>	Amendment to the Zone Map of the Trumbull Neighborhood Sector Development Plan
<i>Legal Description</i>	Lots 2, 3, 4 and 19, 20, 21 of the Unity Addition
<i>Location</i>	On Rhode Island Street SE between Central Boulevard and Zuni Road
<i>Size</i>	Approximately 1 acre
<i>Existing Zoning</i>	SU-1/ C-1 and Vehicle Sales
<i>Proposed Zoning</i>	SU-1 /RT

Staff Recommendation

***Deferral of 06EPC 01110, based on the
findings on page 10, and subject to the
conditions of approval on page 12.***

Staff Planner

Maggie Gould, Associate Planner

Summary of Analysis

This is a request for an Amendment to the Zone map of the Trumbull Neighborhood Sector Development Plan for an approximately 1 acre site consisting of six lots located at 103 Rhode Island SE. The current zone is SU-1 for C-1 and Vehicle Sales: the proposed zone is SU-1 for RT.

The applicant proposes to construct two –unit townhouses if the request is approved.

This request has been reviewed for compliance with the Zone Code, Comprehensive Plan and Trumbull Neighborhood Sector Development Plan.

The Trumbull Village Neighborhood Association was notified and no comments were received.

There is no known opposition to this request.

Staff recommends a 60 day deferral.

Location Map (3" x 3")

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding zoning, plan designations, and land uses:

	<i>Zoning</i>	<i>Comprehensive Plan Area; Applicable Rank II & III Plans</i>	<i>Land Use</i>
<i>Site</i>	SU-1/ C-1 for Vehicle Sales	Established Urban, Trumbull Neighborhoods Sector Plan	Commercial
<i>North</i>	C-2	Same	Commercial
<i>South</i>	R-3	Same	Multi-Family Residential
<i>East</i>	C-1	Same	Multi-Family Residential
<i>West</i>	C-1	Same	Office, Multi-Family, Church

Background, History and Context

The site is located in the Trumbull Neighborhood. The Unity addition was platted in 1929. This area shows as urbanized in 1960 maps. The original platting shows larger lots along Central and smaller lots on the interior. The intent of this platting may have been for residential use.

The first record of zoning for the property was C-1; this remained in place when the Trumbull Neighborhood Sector Development Plan was adopted in 1981. The property was re-zoned in 1997 to SU-1 for C-1 and Vehicle Sales (Z-97-2). The justification for this re-zone was that the vehicle sales and commercial possibilities would provide an economic development benefit.

Several properties in the area have been re-zoned from commercial to residential use since the adoption of the sector plan in 1981.

The area is currently a mix of commercial and Multi-family Residential. There are apartments and a large grocery store to the east, the Fair and Square, a transmission repair shop and vacant lot to the north, an apartment complex to the south and office, church and multi-family use to the west.

The site is located in the Near Heights Metropolitan Redevelopment Area. There are housing projects in the Zuni to Southern area and Louisiana to Pennsylvania. The City is acquiring the northwest corner of Zuni and Louisiana for development. The Blue Spruce site at Central and Louisiana will become a mixed use project in the next six months.

Long Range Roadway System

The Long Range Roadway System designates Zuni and Central as a Principal Arterials, with a right-of-way of 124'.

The Long Range Roadway System designates Rhode Island as a Major Local street, with a right-of-way of 56-60'.

Public Facilities/Community Services

The site is .3 miles from the East Central Multi-service Center. Fire Station 5 is .15 miles away. The #66 Central and #766 Rapid Ride pass close to the site on Central, and the #97 Zuni passes nearby on Zuni.

The public schools for the area are Wherry Elementary School, Van Buren Middle School and Highland High School. There is capacity at all three levels for any children that would live in the proposed development.

ANALYSIS OF APPLICABLE ORDINANCES, PLANS AND POLICIES

Policy Citations are in Regular Text; ***Staff Analysis is in Bold Italics***

Albuquerque Comprehensive Zoning Code

The site is currently zoned SU-1 for C-1 and Vehicle Sales. This zoning allows neighborhood commercial uses, such as small retail and grocery. The SU-1 zone would allow both the permissive and conditional uses of the C-1 zone which includes housing. The applicant would be able to build this product under the current zoning. The applicant feels that the R-T zone would be more appropriate for the project and would offer more secure opportunities for financing. The SU-1 designation would allow public review of this or any future project.

The applicant will need to return to the EPC within six months to submit a Site Plan for Building Permit. (see condition 1)

The illustrative site plan shows a two- unit townhouse on each lot. These units will be 1,284 square feet of house with a 260 square foot garage. Each unit has three bedrooms, two and a half bathrooms and a one car garage. There are three bedrooms and two bathrooms upstairs. The living room, dining room, kitchen and half bath are downstairs.

The elevations show a southwestern style building with stucco, a corrugated metal roof over the porch and balcony with a latilla style detail. The garage faces the street.

The back yard of each unit would be 48 feet long and 20 feet wide for total of 960 square feet.

Changes to the site layout can be made when the Site Plan for Building Permit is submitted.

There is R-3 zoning adjacent to the site to the south and several small lots zoned R-2 and R-3 in the 3 blocks to the west.

The proposed zone would allow the development of houses, townhouses or family housing developments depending on the lot size.

Albuquerque / Bernalillo County Comprehensive Plan

The subject site is located in the area designated Established Urban by the Comprehensive Plan (section II.B.5) with a Goal to “to create a quality urban environment, which perpetuates the tradition of identifiable, individual but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

Applicable policies include:

Policy a: The Established and Developing Urban areas as shown by the plan map shall allow a full range of urban land uses, resulting in an overall gross density up to 5 dwelling units per acre.

Policy a would be furthered by this request because the new zone would allow the addition of housing to the existing land use mix at an appropriate density of six dwelling units.

Policy d: The location, intensity and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, or recreational concern.

Policy e: New growth shall be accommodated through development in areas where vacant land is contiguous to existing or programmed urban facilities and services and where the integrity of existing neighborhoods can be ensured.

Policies d and e are furthered by this request because the site is located in an area with access to a full range of municipal services. This proposal will not jeopardize the integrity of the existing neighborhoods. The use is compatible with the existing development in the area. There is capacity in APS at all three levels to accommodate children in this proposed development.

Policy h: Higher density housing is most appropriate in the following situations:

- X In designated Activity Centers
- X In areas with excellent access to the major street network.
- X In areas where a mixed density pattern is already established by zoning or use, where it is compatible with existing area land uses and where adequate infrastructure is or will be available.
- X In areas now predominantly zoned single-family only where it comprises a complete block face and faces onto similar or higher density development; up to 10 dwelling units per net acre.

In areas where a transition is needed between single-family homes and much more intensive development: densities will vary up to 30 dwelling units per net acre according to the intensity of development in adjacent areas.

Policy h is furthered by this request because the site is located in a mixed density area with excellent access to a major street network. Central Avenue is designated as an enhanced transit corridor.

Policy o: Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.

Policy o is furthered by this request because this site is in an existing older neighborhood. This project will provide housing opportunities. The area has a large number of rental properties. This project will offer an opportunity for more owner occupied units. This site located in Data Analysis Sub Zone (DASZ) 8243, designated by the Mid Region Council of Governments. This area between Central and Zuni and Wyoming and Louisiana contains 75 units of single family housing and 544 units of multi family housing.

Air Quality (section II.C.1)

Goal: to improve air quality to safeguard public health and enhance the quality of life.

Policy b: Automobile travel's adverse effects on air quality shall be reduced through a balanced land use/transportation system that promotes the efficient placement of housing, employment and services.

Policy i : Air quality considerations shall be integrated into zoning and land use decisions to prevent new air quality/land use conflicts.

The goal and policies b and i would be furthered by this request because the townhouses that the applicant proposes if this request is approved would be within walking distance of an enhanced transit corridor. Residents would be able to use the bus to get to a variety of destinations. There are shops within walking distance of the site.

Transportation and Transit (Section II.D.4)

The Goal is to develop corridors, both streets and adjacent land uses, that provide a balanced circulation system through efficient placement of employment and services, and encouragement of bicycling, walking, and use of transit/paratransit as alternatives to automobile travel, while providing sufficient roadway capacity to meet mobility and access needs.

Policy c: In order to add to transit ridership, and where it will not destabilize adjacent neighborhoods, additional dwelling units are encouraged close to Major Transit and Enhanced Transit streets.

The Transportation and Transit goal and policy c are furthered by this request because it will offer housing opportunities along a transit corridor.

Housing (section II. D. 5)

The Goal is to increase the supply of affordable housing; conserve and improve the quality of housing; ameliorate the problems of homelessness, overcrowding, and displacement of low income residents; and assure against discrimination in the provision of housing.

Policy a: The supply of affordable housing, shall be preserved and increased and the opportunity to obtain standard housing for a reasonable proportion of income assured.

Policy b: Quality and innovation in new housing design and construction shall be promoted and quality of existing housing improved through concentrated renovation programs in deteriorating neighborhoods.

Policy d: Availability of a wide distribution of decent housing for all persons regardless of race, color, religion, sex, national origin, ancestry, or handicapped status shall be assured.

The goal and policies a and b would be furthered by this request because the applicant states that the townhouses will be in the “affordable range”. This product would improve the quality of existing housing in the area by offering new, owner occupied homes.

Policy d would be furthered by this request because townhouse units that are proposed if the request is approved would be available to anyone to purchase.

Economic Development (section II.D.6)

The Goal is to achieve steady and diversified economic development balanced with other important social, cultural, and environmental goals.

Policy a: New employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to areas of most need.

The goal and policy a would not be furthered by this request because the zone change would remove commercial activity from the property.

Water Conservation/Green Principles

Not applicable to the Zone Map amendment.

Trumbull Neighborhood Sector Development Plan (Rank II)

The Trumbull Neighborhood Sector Development Sector Plan (TNSDP) was first adopted in 1981. The Plan generally encompasses properties between Louisiana and Wyoming and Central and Kirtland Air Force Base; specific boundaries are shown on Map 1, page 2 in the Plan.

The purpose of the plan was to address specific needs in the Trumbull community. These include crime prevention, access to social services and economic development.

The plan zoning established for the area. In many cases the zoning remained the same as before the adoption of the plan. This is the case for the subject site.

The zoning and land use section of the Trumbull Neighborhood Sector Development recommends that the zoning between Central Avenue and Zuni Boulevard remain unchanged until an SU-2 zone can be put into place. The area should then develop as a combination of residential and business uses. (page 11, TNSDP)

This request would further the intent to have a mix of residential and business uses in the area. It would not further the intent to have the zoning between Zuni and Central remain the same.

Resolution 270-1980 (Policies for Zone Map Change Applications)

This Resolution outlines policies and requirements for deciding zone map change applications pursuant to the Comprehensive City Zoning Code. There are several tests that must be met and the applicant must provide sound justification for the change. The burden is on the applicant to show why a change should be made, not on the City to show why the change should not be made.

The applicant must demonstrate that the existing zoning is inappropriate because of one of three findings: there was an error when the existing zone map pattern was created; or changed neighborhood or community conditions justify the change; or a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City master plan.

In response to section D.3 of R- 270-1980, the applicant presents the following:

- A. *A proposed zone change must be found to be consistent with the health, safety, morals, and general welfare of the City.*

This request is consistent with the health, safety, morals and general welfare of the City.

Staff agrees that the proposed zoning is consistent with the health, safety, morals and general welfare of the City. The approval of this request may help to stabilize the area by offering an opportunity for homeownership. This will allow people to remain at the residence over a period of time and to have a reason to maintain the residence.

- B. *Stability of land use and zoning is desirable; therefore, the applicant must provide a sound justification for the change. The burden is on the applicant to show why the change should be made, not on the City to show why the change should not be made.*

The zone change will provide privately owned, single-family dwellings that will further this goal by providing stable home ownership of residential property. Additionally this request will provide moderate income homes, a stated goal of the Trumbull Neighborhood Sector Development Plan.

There is R-3 zoning adjacent to the site to the south and several small lots zoned R-2 and R-3 in the 3 blocks to the west. The lots to the south are zoned R-2, R-T, and C-1. There is C-2 zoning along Central. There areas has an existing mix of zoning, the proposed zone would be compatible with this mix.

- C. *A proposed change shall not be in significant conflict with adopted elements of the Comprehensive Plan or other City master plans and amendments thereto, including privately developed area plans which have been adopted by the City.*

This request is consistent with the Established Urban policies of Comprehensive plan, and is supported by Housing Policies a, c and d and Transportation Policies b and c. This request is supported by several elements of the Trumbull Neighborhood Sector Development Plan.

Staff agrees that the cited policies would support this request. This request is in conflict with the recommendation from the Trumbull Neighborhood Sector Development Plan that the zoning between Central and Zuni remain unchanged, however it does support the intent of the plan to have a mix of business and residential use in the area.

- D. *The applicant must demonstrate that the existing zoning is inappropriate because (1) there was an error when the existing zone map pattern was created or (2) changed neighborhood or community conditions justify the change, or (3) a different use category is more advantageous to the community, as articulated in the Comprehensive Plan or other City Master Plan, even though (1) or (2) above do not apply.*

D (2) The applicant states that the existing development pattern demonstrates that successful small businesses exist along Central and Zuni. The businesses on the interior lots are far less likely to succeed. The applicant has stated in personal conversation that the lots appear to be platted for residential use. This is substantiated by the sector plan, page 8, Land Use and Zoning.

The applicant may be correct in this observation about the success of businesses on the interior lots, however it does not constitute a changed condition. The other zone changes in the area and the designation of the area as a Metropolitan Redevelopment Area do constitute changed conditions. The Near Heights MRA was approved in 2000 and updated in 2006 to expand its boundaries. The plan was created to spur re-development in the areas of business, housing and motel re-use.

The MRA plan listed the age and condition of housing stock as a constraint to redevelopment in the area. (pg 90 NHMRA). The plan lists new construction of owner occupied units as a favorable option for residents. This was based on the cost of upgrading many of the existing dilapidated properties (pg 93 NHMRDA). Increasing homeownership in the area is listed as goal in the plan (NHMRA pg 93).

During the planning process focus groups took place. The top concern of the housing focus group was home ownership. According to the information in Appendix I of the plan area residents wanted housing options that would have space for families and backyards. These units would provide this opportunity. The price of the units may be a concern because residents also expressed a desire for low cost units.

The original zoning for the property was C-1. This would have been placed after 1959. The original intent of the platting may have been for residential use.

D(3)A different zone category is more advantageous to the community because the development of these lots as townhouses will further the goal of the Trumbull Neighborhood Sector Development Plan to have the area develop as a mix of residential and commercial. These townhouses may also provide an opportunity for moderate income housing.

Staff agrees that the townhouses may provide a benefit to the community. The use of the site for townhouses would be preferable to the current use of car sales and repair. The housing would provide less noise and pollution and possibly offer an option for homeownership in the neighborhood.

E. A change of zone will not be approved where some of the permissive uses in the zone would be harmful to adjacent property, the neighborhood, or the community.

The requested zone has no permissive uses that would be harmful to the community.

Staff agrees.

F. A proposed zone change which, to be utilized through land development, requires major and unprogrammed capital expenditures by the City may be (1) denied due to lack of capital funds, or (2) granted with the implicit understanding that the City is not bound to provide the capital improvements on any special schedule.

This request will not require any major capital expenditures to support the new zone.

Staff agrees.

G. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a change of zone.

Land acquisition or development costs are not a determining factor.

Staff agrees. This request could be considered a “down zoning”. The residential would be less intense than the current commercial use.

H. Location on a major street is not in itself sufficient justification for apartment, office, or commercial zoning.

The lots are not on a major street.

Staff agrees.

I. Spot zone, the applicant states that proposed zone will extend the existing , adjacent residential use.

- J. Strip zone, the applicant states that proposed zone will extend the existing, adjacent residential use.

There is R-3 zoning adjacent to the site. The SU-1 zone is not considered a spot zone since the use will be site plan controlled.

CONCERNS OF REVIEWING AGENCIES / PRE-HEARING DISCUSSION

APS has capacity at all three levels for any children that may live in this development. The City Forester's comments will be addressed when the Site Plan for Building Permit is submitted.

NEIGHBORHOOD CONCERNS

The Trumbull Village Neighborhood Association was notified and no comments have been received.

CONCLUSIONS

This is a request for a zone map amendment for an approximately 1 acre site consisting of six lots located at 103 Rhode Island SE. The current zone is SU-1 for C-1 and Vehicle Sales. The proposed zone is SU-1 for RT. This request is not with the Zone Code, Comprehensive Plan and Trumbull Neighborhood Sector Development Plan.

There is no known opposition. Staff recommends approval

FINDINGS - 06EPC 01110 September 21, 2006

1. This is a request for an Amendment to the Zone map of the Trumbull Neighborhood Sector Development Plan for an approximately 1 acre site consisting of six lots located at 103 Rhode Island SE. The current zone is SU-1 for C-1 and Vehicle Sales. The proposed zone is SU-1 for RT.
2. The site was platted in 1926 and zoned C-1 sometime later, this zoning was upheld in the adoption of the Trumbull Neighborhood Sector Plan; the site was re-zoned in 1997 to the current zone.
3. If the request is approved the Applicant proposes to construct 12 townhouses at a gross density of six dwelling units per acre. An illustrative site plan is included with this request. The applicant will be required to return to EPC within six months for approval of a Site Plan for Building Permit.
4. This request furthers several Comprehensive Plan goals and policies:

a. Established Urban Area Goal and Policies

Policy a is furthered by this request because it would add to the existing mix of land use

Policies d and e are furthered by this request because the site is located in an area with access to a full range of municipal services. This proposal will not jeopardize the integrity of the existing neighborhoods. The use is compatible with the existing development in the area. There is capacity in APS at all three levels to accommodate children in this proposed development.

Policy h is furthered by this request because the site is located in a mixed density area with excellent access to a major street network. Central Avenue is designated as an enhanced transit corridor.

Policy o is furthered by this request because this site is in an existing older neighborhood. This project will provide homeownership opportunities.

b. Air Quality

The goal and policies b and i would be furthered by this request because the townhouses that the applicant proposes if this request is approved would be on an Enhanced Transit Corridor. Residents would be able to use the bus to get to a variety of destinations. There are shops within walking distance of the site.

c. Transportation and Transit

The Transportation and Transit goal and policy c are furthered by this request because it will offer housing opportunities along a transit corridor.

d. Housing

The goal and policies a and b would be furthered by this request because the townhouses will be in the “affordable range”. This product would improve the quality of existing housing in the area by offering new, owner occupied homes.

Policy d would be furthered by this request because townhouse units that are proposed if the request is approved would be available to anyone to purchase.

e. Economic Development

The goal and policy a would not be furthered by this request because the zone change would remove commercial activity from the property.

5. Trumbull Neighborhood Sector Development Plan

This request would further the intent to have a mix of residential and business uses in the area. It would not further the intent to have the zoning between Zuni and Central remain the same.

6. This request complies R- 270-1980, as follows:

a. This request is consistent with the health, safety, morals and general welfare of the City.

b. The zone change will provide stability of land use and zoning by providing stable home ownership of residential property. Additionally this request will provide moderate-income homes, a stated goal of the Trumbull Neighborhood Sector Development Plan.

c. This request is consistent with the Comprehensive plan, and is supported by Housing Policies a, c and d and Transportation Policies b and c. This request is supported by several elements of the Trumbull Neighborhood Sector Development Plan.

d. (2) Other zone changes in the area and the designation of the area as a Metropolitan Redevelopment Area do constitute changed conditions.

D(3)A different zone category is more advantageous to the community because the development of these lots as townhouses will further the goal of the Trumbull Neighborhood Sector Development Plan to have the area develop as a mix of residential and commercial. These townhouses may also provide an opportunity for moderate-income housing.

e. The requested zone has no permissive uses that would be harmful to the community.

- f. This request will not require any major capital expenditures to support the new zone.
 - g. Land acquisition or development costs are not a determining factor for the request.
 - h. The lots are not on a major street.
 - i. I and J would not apply to this request because the SU-1 zone is not considered a spot zone since the use will be site plan controlled.
7. This request fulfills several goals and policies of the Near Heights Metropolitan Redevelopment Plan. The request will provide an opportunity for homeownership. It is an infill project. It is new construction of housing that would suit a family.
8. The Trumbull Village Association was notified and no comments were received.
9. There is no known opposition to this request.

RECOMMENDATION - 06EPC 01110 September 21, 2006

APPROVAL of 06EPC 01110, a Sector Plan Amendment for Lots 2, 3, 4 and 19, 20, 21 of the Unity Addition, from SU-1/C-1 and Vehicle Sales to SU-1/RT, based on the preceding Findings and subject to the following Conditions of Approval.

CONDITIONS OF APPROVAL - 06EPC 01110 September 21, 2006

- 1. The applicant shall return to the EPC within six months with a Site Development Plan for Building Permit.

***Maggie Gould
Associate Planner***

cc: Tuan Van Huynh, 1240 Pennsylvania NE, Ste E, Albuq. NM 87110
Masterworks Arch., Inc., 4200 Wyoming Blvd. NE, Ste B-1, Albuq. NM 87111
Joanne Landry, Trumbull Village, 7501 Trumbull SE, Albuq. NM 87108
Gwen Bemis, Trumbull Village, 415 Mesilla SE, Albuq. NM 87108

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

PLANNING DEPARTMENT

Zoning Code Services

Reviewed, no comment.

Office of Neighborhood Coordination

Trumbull Village Assoc. ®

PUBLIC WORKS DEPARTMENT

Transportation Development (City Engineer/Planning Department):

- Reviewed, no comments.

Hydrology Development (City Engineer/Planning Department):

- No adverse comments.

Transportation Planning (Department of Municipal Development):

- Reviewed, and no comments regarding on-street bikeways, off-street trails or roadway system facilities.

Traffic Engineering Operations (Department of Municipal Development):

- No comments received.

Street Maintenance (Department of Municipal Development):

- No comments received.

Utility Development (Water Authority):

- No comments received.

Water Resources, Water Utilities and Wastewater Utilities (Water Authority):

- No comments received.

New Mexico Department of Transportation (NMDOT):

- No comments received.

RECOMMENDED CONDITIONS FROM CITY ENGINEER, MUNICIPAL DEVELOPMENT, WATER AUTHORITY and NMDOT:

Conditions of approval for the proposed Zone Map Amendment shall include:

- a. None.

ENVIRONMENTAL HEALTH DEPARTMENT

Air Quality Division

Environmental Services Division

City Forrester

As I read the R/T Zone Code... 2 or more units on one lot requires landscaping. If I am accurate, then we need a landscaping plan meeting all other applicable City Codes.

PARKS AND RECREATION

Planning and Design

Open Space Division

POLICE DEPARTMENT/Planning

SOLID WASTE MANAGEMENT DEPARTMENT

Refuse Division

Approved on condition, will comply with all SWMD ordinances and requirements.

FIRE DEPARTMENT/Planning

TRANSIT DEPARTMENT

Adjacent and nearby routes	The #66 Central and #766 Rapid Ride pass close to the site on Central, and the #97 Zuni passes nearby on Zuni.
Adjacent bus stops	None. The #66 has stops at Central and Pennsylvania, and the #97 has stops at Zuni and Texas. The closest #766 stops are at Central and Wyoming, about ½ mile away.
Site plan requirements	N/A
Large site TDM suggestions	N/A
Other information	The Comprehensive Plan identifies Central Ave in this area as an Enhanced Transit Corridor.

COMMENTS FROM OTHER AGENCIES

BERNALILLO COUNTY

ALBUQUERQUE METROPOLITAN ARROYO FLOOD CONTROL AUTHORITY

Reviewed, no comment.

ALBUQUERQUE PUBLIC SCHOOLS

The owner of the property located at 103 Rhode Island SE (**Unity Addition**) is requesting a zone change from SU-1/C-1 and Vehicle Sales to SU-1/R-T Permissive Uses in order to construct 12 townhouses. The proposed project area is assigned to Wherry Elementary School, Van Buren Middle School, and Highland High School. All three schools have capacity to absorb student growth from the proposed development.

School	2006-07 Projections	2006-07 Capacity	Space Available
Wherry	470	528	58
Van Buren	646	882	236
Highland	1,969	2,300	331

MID-REGION COUNCIL OF GOVERNMENTS

No adverse comment.

MIDDLE RIO GRANDE CONSERVANCY DISTRICT

PUBLIC SERVICE COMPANY OF NEW MEXICO

No comment based on the information provided to date. It is the applicant's obligation to determine if utility easements cross the property and to abide by any conditions or terms of those easements.